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అధికారమువలన ప్రచురించబడినది.

నెం. 1(2) గుంటూరు, 2014వ సంవత్సరము, జనవరి నెల, 9వ తేది, గురువారము

Copy of:-

PROCEEDINGS OF THE COLLECTOR & DISTRICT MAGISTRATE: GUNTUR

PRESENT: SRI S.SURESH KUMAR, I.A.S.

Rc.No. 702/2012/C4, Date: 10-02-2013

Sub :- Caste Certificate - Guntur District - Guntur Division - Guntur Town and Mandal - Verification of "BC-E" caste certificate in respect of Dr. Shabbeer Ahmed Khan, S/o Nayemullah Khan Cancellation of "BC-E" Caste certificate issued by the Tahsildar, Guntur certificate No. 60938/11, dated 16-12-2011 - Orders - Issued.

Read :-
1. Representation of Sri Ayaz Khan, Reporter, Shah News, Vijayawada, Dated 28-3-2012.
2. This Office Rc. 702/2012/C4, dated 18-4-2012.
3. Rc. No. 1806/2012/C, dated 23-4-2012 of the Revenue Divisional Officer, Guntur.
4. Tahsildar, Guntur L. Dis. 176/2012/F, dated 18-4-2012.
5. G. O.Ms. No. 23, Backward Classes Welfare (C2) Department, dated 7-7-2007.
6. G. O.Ms.No. 24, Backward Classes Welfare (C2) Department, dated 12-7-2007.
7. Dist. B.C.Welfare Officer, Guntur Lr. Rc. A1/248/2012, dated 20-9-2012.
8. Lr. No. A1/248/2012, dated 6-10-2012 of the Dist.B.C. Welfare Officer, Guntur.
9. Findings of the D.L.S.C. dated 24-10-2012.
10. This office Notice dated 23-11-2012.
11. Other connected papaers.

* * *

ORDER :

Sri Ayaz Khan, Reporter, Shah News, Vijayawada has filed an application alleging that Dr. Shabeer Ahmed Khan, S/o Nayeemulla Khan, R/o D. No. 22-1200, Backside of Murthy Fashions, Lalapet, Guntur belongs to Sub Case of Pathan, but he produced "BC-E" certificate and on the strength of which, his name was included in the PG Medical Merit List. The same was referred to the Tahsildar, Guntur and copy was marked to the Revenue Divisional Officer, Guntur for verification. The Revenue Divisional Officer, Guntur has submitted his report stating that the Tahsildar, Guntur has submitted a report that as per the Govt. orders, if any name of Muslim is having prefix or suffix as "Khan/Pathan", they are treated as "Pathan' and not entitled to get the certificate in the category of "BC-E". In this connection, Sri Shabeer Ahmed Khan, S/o Nayemullah Khan is having the suffix name as Khan and hence recommended for cancellation of the said caste certificate issued by the then Tahsildar, Guntur. The Revenue Divisional Officer, Guntur further submitted that "Pathan" category in Sl.No. 15 has been excluded among other categories for inclusion in Backward Classes. In the reference 6th cited as per the Government orders it was defined that the Pathans belong to Aryan race, tall, strong and fair coloured basically soldiers migrated from Afghanistan and the names will be a suffix of "Khan" or "Pathan" . In view of the above both Government orders Pathans / Khans are one and the same and they are not entitled to claim caste certificate under the category of BC-E and the Tahsildar, Guntur recommended for cancellation of the certificate issued by the former Tahsildar, Guntur.

Finally, the Revenue Divisional Officer, Guntur stated that he agrees with the report of the Tahsildar, Guntur and recommended for cancellation of caste certificate issued by the then Tahsildar, Guntur since the Collector and District Magistrate, Guntur is the competent authority for cancellation of caste certificate under Section 5(1) Act No. 16 of 1993.

In view of the above, Collector, Guntur issued orders on 28-4-2012, referring the case to the District Level Scrutiny Committee for finalizing the verification of caste and social status of Sri Shabeer Ahmed Khan, S/o Nayemullah Khan.

As per the instructions of the Joint Collector & Chairman of the District Level Scrunity Committee issued a notice dated 4-5-2011 to the individual to attend before the Committee on 28-5-2012, notice dated 30-5-2012 to attend before the Committee on 25-6-2012, notice dated 6-6-2012 to attend before the committee on 2-7-2012 and notice dated 12-7-2012 to attend before the committee on 31-7-2012. The individual has attended before the District Level Scrutiny Committee on the said dates and he has filed written statement before the District Level Scrutiny Committee on 2-7-2012. He told before the committee that necessary help may be provided to him so that he can avail the benefits, He did not strongly argue of produce the necessary evidences on the caste claim as given by Tahsildar.

The Joint Collector & Chairman of the District Level Scrutiny Committee has issued instructions on 31-7-2012 to the D. B. C. W.O., Guntur to enquire into the caste status of Sri Shabeer Ahmed Khan, S/o Nayemullah Khan.

The District B.C. Welfare Officer, Guntur has submitted his report in Rc. No.A1/248/2012, dated 20-9-2012 stating that the Asst. B.C. Welfare Officer, Guntur has enquired into the "BC-E" caste certificate in respect of Dr. Shabeer Ahmed Khan, S/o Nayemullah Khan, resident of Lalapet, Guntur Town and enclosed the report that the notices were issued to Dr.Shabeer Ahmed Khan and Ayaz Khan to attend before the Asst. B.C. Welfare, Guntur on 14-9-2012 for enquiry. At the time of enquiry, the statements from 1. Ayaz Khan 2. Dr. Sri Mohammad Shabeer Ahmed Khan, 3. Mohammed Nayimullah Khan (father of Dr. Shabeer Ahmed Khan) 4. Mohammed Saleem (neighbour) 5. Mohammed Saleem, Secretary of Masjid-e-Iqbal Trust Committee and Govt. Qhazi for Guntur East were recorded.

The petitioner Mr. Ayaz Khan has stated in his statement that he is working as News reporter for Shah News weekly, Vijayawada and Mr. Shabeer Khan, who is a MBBS graduate applied for P.G. under BC-E reservation. As per Government reservation, a person who has suffix or prefix as "PATHAN" or "KHAN" will be treated as "PATAN" and they are not entitled to BC-E reservation. Being a Pathan, he noticed this appropriate thing and brought to the notice to the authorities but not produced any documentary evidences.

Dr. Mohammed Shabeer Ahmed Khan, S/o Mohammed Nayemullah Khan, resident of Lalapet, Guntur has stated in his statement that his Grand Father and Great Grand Father has "Mohammed" as surname and their first name and recently the B.C. Commission has announced that / Mohammed is a substitute word of Shaik and it comes under BC-E category. He enclosed the education certificates, LIC certificates and case certificates of his family members as follows.

1.	Mohammed Gulam Ghouse Khan	:	Great Grand Father
2.	Mohammed Ajimtullah Khan	:	Grand Father
3.	Mohammed Nayimullah Khan	:	Father
4.	Mohammed Kudeer Ahmed Khan	:	Brother
5.	Mohammed Yasha Parvin	:	Sister

Shabeer Ahmed Khan further stated that their Ancestors had resided at "Tahsildars House" of Guntur (copy enclosed) and his great Grand Father Mohammed Gulam Ghouse Khan had received the honour "Khan" from British Government and further generations carry the tile "Khan" at the end of their names.

Later, the Secretary of Masjid-e-Iqbal Trust Committee, Guntur, Govt. Quazi for Guntur East; A Fareed Baba, stated that they knew very well about the family of the individual and the surname of Dr. Mohammed Shabbeer Ahmed Khan family is "Mohammed" is the first name as well as "Khan" is honoured title conferred by the British Government on his Great Grand Father and it is added as last name and the importance should be given to the first name which is "Mohammed" and should be considered as the surname, Finally, they stated that "Mohammed" community is synonymous with "Shaik" community category and comes under the current recommendations of the BC Committee, A. P. State Government as per G. O. Ms. No. 23, BCW (C2) Department, dated 7-7-2007.

The Assistant B.C. Welfare Officer, Guntur further informed that the Director of B.C. Welfare, A. P., Hyderabad has issued a clarification to the District Collector, Krishna District regarding the issue of caste certificates to Muslims possessing the surnames like "Mohammed" and "Abdul" clarifying that there is no strict co-relation between name / surname / prefix or suffix of the name and caste to accept or reject a caste claim straightaway. The proper field enquiry is the base and it is indispensable for authenticating / validating any caste claim. For taking up the field enquiry in order to establish the veracity of the caste claim, the detailed guidelines and procedure have been prescribed in Act 16 of 1993, G. O.Ms. No. 58, Social Welfare (J2) Department, dated 12-5-1997 and G. O.Ms.No. 23, BC Welfare (C2) Department, dated 7-7-2007.

Finally, the District B. C. Welfare Officer, Guntur has submitted specific report dated 6-10-2012 stating that the individual Dr. Shabeer Ahmed Khan, S/o Nayeemullah Khan, D. No. 22-12-97, Uravari Street, Lalapet, Guntur does not belong to "BC-E" community as per the BC list and guidelines communicated through G. O. Ms. No. 23, BCW (C2) Department, dated 7-7-2007 and as per the detailed enquiry report of Asst. B.C. Welfare Officer, Guntur and the individual has not produced any evidence / document as BC-E.

In this circumstances stated above, the District Level Scrutiny Committee reviewed the documentary evidences furnishned by the individual before the District Level Scrutiny Committee and the opinion

of the District B.C. Welfare Officer, Guntur, came to a conclusion that the individual not entitled to claim as BC-E and hence, the Caste Certificate obtained by the individual as "BC - E" vide No. 60938/11, dated 16-12-2011 from the Tahsildar, Guntur needs to be cancelled.

Agreeing with the recommendations of the District Level Scrutiny Committee a show cause notice was issued by the Collector, Guntur to file any objections on the opinion of the D.L.S.C. within 15 days of the receipt of the notice and the notice was delivered through Speed Post to the individual on 1-12-2012 and a considerable time has already elapsed, but no reply has been received from the individual.

In the cirucumstances discussed above, I, S. Suresh Kumar, I.A.S., Collector and District Magistrate, Guntur in exercise of the powers conferred by the Government under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Community Certificate Act 16 of 1993 read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules 1997 communicated in G. O. Ms. No. 58, Social Welfare Department, dated 12-5-1997, hereby cancel the "BC-E" caste certificate No. 60938/11, dated 16-12-2011 issued to Dr. Shabeer Ahmed Khan, S/o Nayeemullah Khan.

A notification to this effect shall be published in the A. P. State Gazette.

An appeal lies to the Government against this order within 30 days from the date of receipt of this order.

S. SURESH KUMAR,
Collector and District Magistrate.
Guntur.

NOTIFICATION

In view of the recommendations of the District Level Scrutiny Committee and in exercise of powers conferred under Section 5(1) of the A. P. (SC, ST and BCs) Regulation of issue of Community Certificates Act 16 of 1993, read with Rule 9(7) of A.P. (SC, ST and BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated vide G.O.Ms. No. 58, Social Welfare (J) Department, dated 12-5-1997, it is hereby declared that the "BC-E" caste certificate issued by then Tahsildar, Guntur vide No. 60938/11, dated 16-12-2011 in respect of Dr. Shabeer Ahmed Khan, S/o Nayeemullah Khan is hereby cancelled as the Tahsildar issued certificate without proper enquiry.

S. SURESH KUMAR,
Collector and District Magistrate.

Guntur,
10th February, 2013.

Copy of:-

PROCEEDINGS OF THE COLLECTOR & DISTRICT MAGISTRATE: GUNTUR

PRESENT: SRI S.SURESH KUMAR, I.A.S.

Rc.No. 1447/07/C4, Date: 20-02-2013

Sub :- Caste Verification - Guntur District - Tenali Division - Bapatla Mandal and Town - Admission into MBA/MCA Course for the year 2007-08 - Verification of Scheduled Tribe status claim of Kum. Katam Nagalakshmi , D/o Venkateswarlu (Rank No. 66644) - Found Genuine - Orders - Issued.

Read :-
1. Lr. Rc. 2073/3/2007TRI/VC-4, dated 3-9-2007 of the Director of Tribal Welfare, Hyderabad.
2. This office Rc. 1447/2007/C5, dated 18-9-2007.
3. D. Dis No. 2106/07/F, dated 9-8-2008 of the Revenue Divisional Officer, Tenali.
4. Rc. T2/401/2010, dated 8-4-2011 of the District Tribal Welfare Officer, Guntur.
5. Lr. Rc. 2073/07/TRI/VC-4, dated 30-3-2012 of the Commissioner of Tribal Welfare, Hyderabad.
6. Findings of the District Level Scrutiny Committee dated 21-9-2012.
7. This office Notice dated 16-10-2012.
8. Reply letter of Kum. Katam Nagalakshmi, dated 21-11-2012.
9. This office Notice dated 9-1-2013.
11. Other connected papaers.

* * *

ORDER :

The Director of Tribal Welfare, Hyderabad has informed that Kum. Katam Naga Lakshmi, D/o K. Venkateswarlu is an applicant for admission into MBA/MCA course for the year 2007-08 under ST quota and after careful examination of the genealogical and ethnographic information it was found that :

a) The applicant is unable to substantiate her claim; the surname furnished by the candidate is not tallied with the information available on Yerukula tribe of their office.

b) The surname Katam of the applicant is uncommon among the Yerukula Tribe.

c) The candidate does not speak Yerukula tribal dialect.

d) The candidate did not furnish the information to substantiate her claim.

e) The candidate not furnished the clans (Gothram) of thire Yerukula Community (a) Katam (b) Bima (c) Nallabothula. It is prima - facie doubtful.

Finally, the Director of Tribal Welfare, Hyderabad has requested to place the matter before District Level Scrutiny Committee.

The matter was referred to the Revenue Divisional Officer, Tenali for enquiry. The Revenue Divisional Officer, Tenali vide D.Dis. 2106/07/F, dated 9-8-2008 has reported that Sri Katam Venkateswarlu (F/o Naga Lakshmi) S/o Ranganayakulu of Bhimavaripalem, Bapatla Town (presently residing in Sanjay

Gandhi Colony, Bapatla Town) belongs to “Telaga” (OC) community; he married Thota Parvathi, D/o Suryanarayana of Bapatla Town also belongs to “Telaga” caste in the year 1943. He had a son by name Ranga Rao, through Parvathi who is now working as Sub-Assistant, Agricultural College farm, Bapatla.

Later his wife Parvathi deserted him, leaving son Ranga Rao with him and her where abouts are not known. Later he migrated to Srisailam of Kurnool District in the year for eaking a livelihood and stayed there till 1964. At Srisailam, he married a lady by name Smt. Nagamma belongs to Yerukula (ST) caste. He said to have returned to Bapatla in the year 1964. It was stated that house site patta was also granted in the name of Katam Nagamma in the year 1981 at Maruproluvaripalem with in Bapatla Municipality, in the lay out of Sanjay Gandhi Colony, Bapatla, where most of the beneficiaries belonging to SCs and STs., are residing. Smt. Katam Nagamma was issued a caste certificate as “Yerukula” on 20-11-1990 by the Mandal Revenue Officer, Bapatla and she died in the year 2004. Later Kum. Katam Naga Lakshmi was issued a caste certificate as Yerukula on 18-07-1998 by the then Mandal Revenue Officer, Bapatla. The Revenue Divisional Officer, Tenali has further reported that no resident of the locality, where the family of Katam Venkateswarlu is living, came forward to give a statement that K. Nagamma belongs to Yerukula caste and she married Katam Venkateswarlu and they had a daughter by name Katam Naga Lakshmi. The caste status of Katam Naga Lakshmi is not established. Nagalakshmi claimed that all the relatives of her mother’s side are now residing in Kurnool and other placess and they to belong to Yerukual (ST). She produced ST caste certificates in respect of the following individuals claiming to be her blood relatives on her mother’s side. (1) Mandla Venkata Lakshmi W/o Marenna (2) Mandala Madhavi, D/o Marena (3) Yerukula China Maddi late S/o Sunkanna (4) Yerukula Madavi D/o Sunkanna (5) House hold card of Yerukula Peda Marenna. The Revenue Divisional Officer, Tenali has further reported that father of K. Naga Lakshmi belongs to Telaga (OC). He met Nagamma said to be Yerukula (ST) caste and had a daughter in the year 1982. There is no marriage proof. There is no dispute regarding the caste of the applicant’s father Venkateswarlu as (Telaga). He belongs to upper caste. The Revenue Divisional Officer further stated that the entire enquiry is regarding her mother Nagamma’s caste only. Even if it is presumed that she belongs to ST Yerukula community, the then Mandal Revenue Officer, Bapatla should have given the certificate under special provision for non-statutory purposes. Finally the Revenue Divisional Officer, Tenali has reported that the matter may be placed before the District Level Scrutiny Committee as none of the relatives (from mother side) of Naga Lakshmi could be enquired in that division.

In view of the above, the Collector and District Magistrate, Guntur passed orders on 29-8-2008 directing that the subject matter be placed before the District Level Scrutiny Committee.

As per the instructions of the Joint Collector and Chairman of the District Level Security Committee, a notice was issued to the individual with a direction to attend before the DLSC on 24-10-2008 at 11-00 AM. The individual and her father attended before the D.L.S.C. on 24-10-2008 and at the time of enquiry, the individuals gave written statements and furnished the address and caste paticulars of the blood relatives of her mother side who are residing at Mahaboobnagar and Kurnool. The Distrct Level Scrutiny Committee under the Chairmanship of the Joint Collector desired to verify the genuineness of the particulars and the same was referred to the concerned Collectors vide this office Rc. 1447/2008/C4, dated 25-10-2008, 5-2-2009, 18-5-2009, 27-7-2009, 18-5-2009 and 12-12-2009. The Collector, Mahaboobnagar and Kurnool have informed that the matter was duly got enquired by the Tahsildars concerned and it was found that relatives mentioned by K. Naga Lakshmi belong to YERUKULA -ST and the reports were duly placed before the District Level Scrutiny Committee which was h eld on 7-9-2010.

AT this juncture, the Joint Collector and Chairman, DLSC., has instructed to refer the case to the District Tribal Welfare Officer, Guntur for enquiry.

The District Tribal Welfare Officer, Guntur vide Rc. T2/401/2010, dated 8-4-2011 stated that the Asst. Tribal Welfare Officer, Guntur has conducted through enquiry and reported that Kum. Katam Naga Lakshmi, D/o K. Venkateswarlu, Sanjay Gandhi Colony, Bapatla belongs to “Yerukula” community and enclosed the enquiry report for information.

The Asst. Tribal Welfare Officer, Guntur has enquired the following individuals :

1. Katam Naga Lakshmi stated that she belonged to Yerukula community and all the reports obtained from Kurnool, Mahaboob Nagar confirmed the same status of her caste. A caste certificate was issued to her by the MRO., Bapatla stating that she belonged to ST-Yerukula community and the same is enclosed.

2. Sri Katam Naga Venkateswarlu F/o Katam Naga Lakshmi stated that he belonged to “Telaga” community. He got married with Parvathi in 1943 and begot a son Ranga Rao in 1951. Due to family disputes, he got separated from his wife - Parvathi taking his son with him in 1959. In 1961 he migrated to Srisailam for work and he met Nallabotula Nagamma who came there from Ganegandla, Kurnool District and married her. After marriage, he came back to Bapatla along with his second wife. But his mother Kondamma-did not accept her as daughter-in-law and excommunicated them from their home. His relations ill treated and kept him away from them. His wife Nagamma became the bread winner of the family. He settled in ST colony (Sanjay Gandhi Colony). The relativies of Nagamma supported them. She used to go to her native place - Gangandla very often. They accepted Katam Naga Lakshmi as a member in their community.

3. Devarakonda Yesu and Devarakonda Jyothi elders of Sanjay Gandhi Colony stated that they knew K. Venkateswarlu and Nallbothula Nagamma very well from 1974 and they stated that N. Nagamma belonged to YERUKULA-ST community. Nagamma was rejected by her mother-in-law and local telaga people. She shared her joys and sorrows with them. Every now and then, she used to go to her native place “Gangandla” of Kurnool District to participate in marriages, functions and festivals. They stated that Katam Naga Lakshmi was brought up in YERUKUAL colony.

4. Sri Thota Krishna, S/o Thota Venkateswarlu stated that Katam Venkateswarlu F/o Naga Lakshmi was his uncle and Nagamma was his aunt. His grand parents expelled her from their residence; they lived in Sanjay Gandhi Colony. Nagamma mingled with her relatives in Ganegandla of Kurnool District.

5. Sri R. P. Muni, Sarpanch, Gandandla Panchayat, Kurnool District stated that Nallabothula Nagamma was the daughter Sri Nallabothula Nagendrappa and Rangamma. They were the residents of Ganegandla Village, Pattikonda Mandal of Kurnool District. They were dead. They belong to Yerukula community. Nagamma married Venkateswarlu R/o Bapatla and she used visit to Gangandla now and then with her daughter K. Naga Lakshmi and he knows that Smt. N. Nagamma died in 2004.

6. Sri Y. Muneppa, Sri Nagamma, Sri Y. Savaranna, Sri China Naganna, Sri Kannella Laxanna, Sri Y. C. Ranga Muni stated that they were the contemporaries of late N. Peda Muneppa and late N. China Munneppa sons of Late Nallabothula Nagendrappa and Rangamma.

They were the elders of the council of their (Yerukula) community. They stated that the third daughter of N. Nagendrappa, N. Nagamma got married with Sri K. Venkateswarlu of Bapatla who belongs to Telaga community. the parents of K. Venkateswarlu and his relatives subjected her to illtreatment as her caste was inferior to their caste. Nagamma came to Gonedandla and revealed her problems to them. They stated that K. Nagamma used to come to their village with her daughter during holidays. She used to attend to every function, festival and local fair with her daughter Katam Naga Lakshmi mingled with them freely. They accepted her as their child and as a member of their community.

7. Smt. Nallabothula Guntimma, W/o Nallabothula Pedda Muneppa stated that she was the eldest daughter-in-law of Nallabothula Nagendrappa who was the father of Nallabothuala Nagamma. She stated that the sister of her husband got married with K. Venkateswarlu of Bapatla. As she belonged to Yerukula communty, her father-in-law and mother-in-law did not accept her as their daughter-n-law and did not allow them to live with them. Katam Naga Lakshmi was acquainted with Yerukula community and learned the aspects of their culture.

The Asst. Tribal Welfare, Guntur finally stated that K. Naga Lakshmi lived in Yerukula community in Sanjay Gandhi Colony and her relation, kinship and cultural bond only with her maternal relation in Ganegandla Village of Kurnool District and concluded that K. Naga Lakshmi belongs to YERUKULA - ST community.

The District Level Scrutiny Committee under the Chairmanship of the Joint Collector examined the records and reports, opined that it needs through examination by the Tribal Cultural Research and Training Institute, Andhra Pradesh, Hyderabad. The Commissioner of Tribal Welfare, A. P., Hyderabad vide Rc. 2073/07/TRI/VC-4, dated 30-3-2012 informed that the matter was referred to the District Tribal Welfare Officer, Guntur to conduct detailed enquiry and furnish the report to the Collector, Guntur.

Subsequently, the District Tribal Welfare Officer, Guntur has submitted his r eport vide Lr.Rc. T2/270/2012, dated 25-8-2012 stating that Katam Nagalakshmi D/o Venkateswarlu, R/o Bapatla stated in writing that her father Katam Venkateswarlu belongs to Telaga Community and he married Nallabothula Nagamma, D/o Nagendrappa who belongs to Yerukula community and whose native place is Gonegandla village in Kurnool District in the year 1961 as his second wife. He came to Bapatla in the year 1965 along with his second wife, but his parents did not accept the said Nagamma as their daughter-in-law as she belongs to Yerukula caste. Thereafter Katam Venkateswarlu and his second wife Nagamma resided it Sanjay Gandhi Colony, Bapatla Town. The couple had one female child by name Nagalakshmi whose caste status is under verification of the DLSC.

The D.T.W.O., Guntur further stated that the Asst. Tribal Welfare Officer, Guntur enquired Y. Muneppa and Y. Savaranna said to be contemporaries of late Pedamuneppa brother of Nagamma (Maternal unvle of Nagalakshmi) who are staying at Gonegandla Village of Kurnool District. They stated that, Nagamma who married Katam Venkateswarlu belonging to Telaga Caste of Bapatla Town was supported by her brothers Chinamuneppa and Pedamuneppa both morally and financially when they were alive and said Nagamma along with her daughter Nagalakshmi used to visit Gonegondla Village and attend to festivals and functions in the house of their maternal uncles. The A.T.W.O., opined that Nagalakshmi was mingled in Yerukula caste community and she can be recognized as belongs to S.T.

However, the District Tribal Welfare Officer, Guntur differed with the view taken by the A.T.W.O. and stated that K. Nagalakshmi lived with her father and mother in Sanjay Gandhi Colony where SCs and STs lived; she received her education in Bapatla and Chirala right from K.G. to P.G. It is common that

members of Scheduled Tribes remain an homogenous group and each Tribe lives in compact group under the care and supervision of the elders of their community. The social custom has a greater binding force on the members of their community in their day to day life.

The D.T.W.O., Guntur further stated that it is seen and observed that K. Nagalakshmi was not brought up by the members of Yerukula community as she lived with her father at Bapatla Town far away from the native place of her mother. She was not fully acquainted with the elders and relatives of her mother. She had no knowledge of the customs and traditions of Yerukula community. She did not know the language of Yerukula community and the statement given by the elders of the Gonegandla village that, the Yerukula community accepted Nagalakshmi as their child is not convincing. The D. T. W. O., Guntur finally reported that she does not belong to ST community.

In the above circumstances, and in view of the guidelines of the Govt. of India Annexure-B Legal views on the status of the offspring of a couple where one of the spouses is member of Scheduled Tribe- Para -4 and para 5 and As per Circular Memo No. 10956/CV.1/97-2, dated 16-2-1998, para III Children of the Inter - Caste Marriages is pertinent to note that the determination of caste of the children of intercaste couple mainly depends on the acceptability and brought up of the children in the claimed community and not mere claim of the caste of one of the parents entitle them to belong to that caste.

The District Level Scrutiny Committee which was held on 27-8-2012, reviewed the enquiry reports and documentary evidences furnished by the individual and the report of the District Tribal Welfare Officer, Guntur and came to a conclusion that the individual was not brought up within the cultural fold of Yerukula community.

Therefore, the District Level Scrutiny Committee opined that the caste certificate issued by the Mandal Revenue Officer, Bapatla vide Sl. No. 2089/90, dated 18-7-1990 in favour of Kum. Katam Nagalakshmi, D/o K. Venkateswarlu, resident of West Bapatla, Bapatla Mandal as Yerukula - ST needs to be cancelled and submitted its recommendations to the District Collector.

Basing on the recommendations of the DLSC., a notice was issued to the individual by the Collector Guntur to show cause why the "YERUKULA -ST" caste certificate issued to Kum. Katam Naga Lakshmi, D/o K. Venkateswarlu by the Mandal Revenue Officer, Bapatla vide Sl. No. 2089/90, dated 18-7-1990 should not be cancelled basing on the recommendations of the District Level Scrutiny Committee.

Consequently, Kum. Katam Nagalakshmi sent her reply stating that her mother was shunted out by her peternal relatives and also her father who was addicted to drinking, therefore she and her mother were brought up by her maternal uncles only. Therefore she was brought up in Yerukula - ST caste fold but not in upper caste atmosphere. Further, enquiry was conducted by the Tahsildars in Kurnool and Mahaboobnagar Districts about her relatives who belongs to Yerukula - ST caste and the District Collector of Kurnool and Mahaboobnagar sent reports to the District Collector, Guntur confirming that her relatives belong to Yerukula - ST. Further the DTWO., Guntur enquired her maternal side relatives at Gonegundla village of Kurnool District and confirmed that she was accepted by her maternal relatives who belongs Yerukula -ST as per the Report Rc. T2/401/2010, dated 8-4-2011 sent by the DTWO., Guntur. She claimed that she was accepted as belonging to Yerukula - ST by all her maternal relatives and other Yerukula caste people. Therefore she claimed to being to Yerukula - ST caste only and finally requested to withdrawn the decision dated 21-9-2012 made by the DLSC., Guntur.

After perusing the explanation offered by the individual, another notice was issued to the individual by the Collector, Guntur for personal hearing on 21-01-2013 and the individual attended before the Collector, Guntur on 21-01-2013 at 4-00 PM in the Collector's Chamber, Guntur and the enquiry

conducted by the District Collector, Guntur regarding the "YERUKULA - ST" caste claim of Kum. Katam Naga Lakshmi, D/o K. Venkateswarlu, Native of Bapatla Town and Mandal. At the time of enquiry the individual has requested to consider the reports given by the District Collectors of Kurnool and Mahaboobnagar regarding the caste of her maternal relatives and these reports state that the relatives mentioned by her are belonging to ST-YERUKULA. It is on record that the mother of the individual belongs to Yerukula - ST and there is no dispute about it. The report submitted by the A.T.W.O., Guntur proves that the mother of the individual hails from Gonegondla Village of Pattikonda Mandal of Kurnool District and she belongs to Yerukula - ST caste.

Further on examination of the circumstances and facts of the case, it is revealed that

a) She is born out of the second marriage of Sri Katam Venkateswarlu (who is OC - Telaga) and Nallabothula Nagamma (who belongs to ST - Yerukula).

b) The marriage was not formally registered and she was born in 1982.

c) She lived with her mother in ST Yerukula till the death of her mother in 2004 and after that she is residing with her father in Bapatla.

d) She has one sibling (son of her father from 1st Marriage) by name Ranga Rao who is not claiming ST caste.

e) The enquiry report from District Collector's Kurnool and Mahaboobnagar clearly establishes her maternal relationships and their acceptance.

Based on the above facts and the logical aspects of the case, I find it is reasonable to belive that her mother belongs to YERUKULA - ST and her claim for ST-Yerukula is genuine as she is born out of an intercaste marriage between OC (Telaga) and ST (Yerukula). I, therefore, hereby reject the recommendations dated 21-9-2012 made by the District Level Scrutiny Committee and hold that Katam Nagalakshmi D/o Venkateswarlu belong to Yerukula - ST. An appeal against the order lies before appropriate authority/ court as per provisions of Act 16 of 1993.

S. SURESH KUMAR,
Collector,
Guntur.

NOTIFICATION

PROCLAMATION RELATING TO UNCLAIMED PROPERTY (TO BE ISSUED UNDER SECTION 457 OF CODE OF CRIMINAL PROCEDURE

IN THE COURT OF IV ADDITIONAL MUNSIF MAGISTRATE, GUNTUR
Cr. No. 789/2000 of Lalapet Crime P.S. Guntur.

Proclamation is hereby made that the following propety has been seized under the Provisions of Section 41 and 102 of Cr. P.C. by the Station House Officer, Lalapet Crime Police Station, Guntur in the limits of the said Station and the said property is now lying in the Court of IV Additional Munsif Magistrate, Guntur, in the charge of IV Additional Munsif Magistrate, Guntur.

DESCRIPTION OF THE PROERTY

1. T.V.S. Moped with Registration No. ATG 4665 and Engine Number 667-3-86.

2. Bajaj Chetak Scooter (blue colour) with Regn. No. Nil
Engine No. 06 M 95 B 84116 and Chasis No. 06T 95C 03588.

Any person having a claim over the aforesaid vehicle is hereby required to appear before me and establish the same within SIX MONTHS from the date of the Publication in the Guntur District Gazette, failing which the said vehicle will be held at the disposal of Government and it will be sold out.

Dated this the 4th of November, 2006.

(Sd.),
IV Additional Munsif Magistrate,
Guntur.

NOTIFICATION

PROCLAMATION RELATING TO UNCLAIMED PROPERTY (TO BE ISSUED UNDER SECTION 457 OF CODE OF CRIMINAL PROCEDURE

IN THE COURT OF IV ADDITIONAL MUNSIF MAGISTRATE, GUNTUR

Cr. No. 496/2002 of Kothapet Crime P.S. Guntur.

Proclamation is hereby made that the following property has been seized under the Provisions of Section 41 and 102 of Cr. P.C. by the Station House Officer, Kothapet Crime Police Station, Guntur in the limits of the said Station and the said property is now lying in the Court of IV Additional Munsif Magistrate, Guntur, in the charge of IV Additional Munsif Magistrate, Guntur.

DESCRIPTION OF THE PROERTY

1. Kinetic Honda (red colour) with Regn. No. AP 16 P 308.
Engine No. VIE 500590 and Chasis No. VIE 500590726.

2. Luna Super with Regn. No. Nil
Engine No. 1208981 and Chasis No. 21002642.

Any person having a claim over the aforesaid vehicle is hereby required to appear before me and establish the same within SIX MONTHS from the date of the Publication in the Guntur District Gazette, failing which the said vehicle will be held at the disposal of Government and it will be sold out.

Dated this the 4th of November, 2006.

(Sd.),
IV Additional Munsif Magistrate,
Guntur.

ముద్రణ కమీషనరుగారిచే ప్రభుత్వ ప్రాంతీయ ముద్రణాలయము, విజయవాడనందు ముద్రించబడి, జిల్లా కలెక్టరుగారిచే ప్రచురించబడినది.